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House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. BURTON of Indiana].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker.

WASHINGTON, DC,
April 7, 1995.

I hereby designate the Honorable DAN BURTON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With the words of the Psalmist we pray that You would search us, O God, and know our hearts, try us and know our thoughts, and see if there be any wicked way in us, and lead us in the way everlasting.

We pray, Almighty God, that through reflection and meditation, through study and edification, and above all through prayer and renewed faith, we will speak with truth, our minds will point to justice, and our hearts will be full of mercy, that in all things, You will be our God and we will be Your people. Bless us now in all we do and may Your spirit remain with us always. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York [Mr. SOLOMON] come forward and lead the House in the Pledge of Allegiance.

Mr. SOLOMON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 58. Concurrent resolution providing for an adjournment of the two Houses.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1240. An act to combat crime by enhancing the penalties for certain sexual crimes against children; and

H.R. 1345. An act to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes.''

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 889) ''An Act making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.''

DESIGNATING THE HONORABLE FRANK WOLF AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH MAY 1, 1995

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

WASHINGTON, DC,
April 7, 1995.

I hereby designate the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through May 1, 1995.

NEWT GINGRICH,
Speaker of the House of Representatives.

LEGISLATION PASSED BY THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

(Mr. SHUSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUSTER. Mr. Speaker, I am pleased to inform the House that I have informed the Speaker that the Committee on Transportation and Infrastructure will be prepared to bring to the floor after our recess three major pieces of legislation that passed the committee: The Clean Water Authorization Act, which passed by a voice vote, the Mine Safety Act, which passed by voice vote, and the clean water amendments, which were adopted by the committee with very strong bipartisan support, a 42-to-16 vote, with over half of the Democrats supporting the bill and an overwhelming 29 Republicans supporting the bill.

Mr. Speaker, we hear somewhere word that the radical environmentalists are preparing an all-out attack on this. In fact, we have been informed that there may be an effort to block this bill in the other body, the thought being that if the bill can be blocked,

then the flawed old law will apply with continued appropriations.

So I want to particularly thank the distinguished chairman of the Appropriations Committee, the gentleman from Louisiana [Mr. LIVINGSTON], for his statement this week that where authorizations do not exist there will be no appropriations.

So, for those who think that they can somehow block the clean water bill, I would urge them to think twice because that kind of activity could mean that there would be no funding for clean water.

Our bill provides over $3 billion a year authorization. It is a strong environmental bill with overwhelming bipartisan support, and I am pleased to announce this to the House.

ENVIRONMENTAL CLEANUP

(Mr. BROWDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWDER. Mr. Speaker, the American taxpayer is getting it again. There are chemical stockpiles all over the United States that have to be destroyed. The Army and FEMA have been assigned to destroy those stockpiles. Last month GAO came out with a study called Chemical Weapons Emergency Prepared Program Financial Management Weaknesses. This concluded that after 6 years the program, I think, has tripled, the cost has tripled. The communities are not ready to deal with an emergency. The Army and FEMA cannot account for how the money has been spent.

But, Mr. Speaker, I just found out that next month there is a big conference going on, and the Army and FEMA are sending a bunch of people to it. Where are they sending them? France, the Riviera. Congress and the American taxpayer deserve some answers.

TRIBUTE TO ANTHONY F. ''TONY'' TARTARO

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, sitting next to me, as people can see, is someone by the name of Anthony F. Tartaro.

Keep on going there, Tony.

Known simply as ''Tony'' to his many friends, Members of Congress, staff people, and a surprising number of tourists as well, he has announced his retirement as a floor reporter with the Official Reporters of Debates, effective May 1.

Boy, are we going to miss this wonderful guy. He is truly the dean of the Reporters of this House, having joined the staff of the Official Reporters of Committees in 1966, and serving there for a period of time as the Chief Reporter. Tony then transferred to the staff of the floor reporters in the mid-1970's.

A native of Brooklyn, NY, my home State, Tony attended Boys High School there, and he later completed a course in court reporting at the Heffley & Brown School. His fine record of scholastic achievement at that school truly paved the way for his appointment as an instructor there and later to a job offer at the Columbia Reporting Company here in Washington, where he worked for another 19 years.

During World War II, Tony was in the Army, with most of his service taking place at Fort Myer, in Arlington, VA, from 1942 through 1945.

Tony's reputation as a model of old-fashioned values is well known and well deserved on the floor of this House. A true patriot, he feels pride, not embarrassment, in displaying this flag that you see on his lapel right now. And, of course, Tony loved his holidays.

Among Tony's hobbies, perhaps the most prominent has been dancing. Would you believe that? And he has been a lifelong ardent swimmer. One of Tony's other great interests has been the collecting of memorabilia and souvenirs relating to Congress and this Capitol. One of his good friends, noting the size of Tony's collection, once said, ''You know, Tony must have either a museum or a warehouse out there in Falls Church, to house all that material.'' and I feel sorry for his wife, Helen.

A legend in friendliness and outgoing helpfulness, and certainly he has to be the best in my 16 years in this body, Tony has often taken his own time to guide visitors and tourists to their various destinations around the Capitol and to share with them his knowledge and his enthusiasm for the House of Representatives.

But if Tony should be known for one and only one thing, it must be his recognition that having a loving family is truly life's greatest reward. Tony and Helen will celebrate their 50th wedding anniversary—and is that not a wonderful event—on January 6, next year. And Helen is not at all shy to say how lucky she was to have married this guy sitting next to me here.

They have had two daughters, Patricia and Laura, and a set of grandtwins, Ian and Alyssa, to whom they are extremely devoted. Members of Tony's family are with us today, as we note his retirement.

Have you looked around the room here, Tony?

All of the reporters, transcribers, and clerks in HG–60, where Tony has maintained his office for the past 15 years, will feel a keen sense of emptiness when Tony does leave.

We wish Tony and Helen all the best in happiness and health in their coming years of retirement.

They expect to remain in the Washington area, as I understand it, and we look forward to Tony's visiting us as often as he possibly can, because it will not seem right not seeing him here on this floor after all of these years.

Tony Tartaro, ladies and gentleman, is a good man. He is a dear friend. He is a great patriot. He is a true credit to this House, and we sure are going to miss you, Tony. You are a great American.

God bless you.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The gentleman's long 1 minute has expired.

And the House will miss Tony, and the Chair hopes that the transcription is correct.

□ 1110

INTRODUCTION OF BALANCED BUDGET ENFORCEMENT ACT OF 1995

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, now is the time to get serious about balancing the budget. Today I am joined by my colleagues, Representatives CHARLIE STENHOLM, CALVIN DOOLEY, and TOM BARRETT, in introducing legislation that would put in place tough new measures to balance the budget by the year 2002. This bill, the Balanced Budget Enforcement Act of 1995, would force us to make the tough decisions required to balance the budget. It would do so by setting spending caps and using across-the-board cuts if the caps are not met.

There are no exceptions. Everything is on the table and, unlike Gramm-Rudman, it has teeth.

I would say to my colleagues who really want to balance the budget, here is your chance to move beyond the rhetoric. For those of my colleagues who do not want to balance the budget, do not cosponsor this bill because under this legislation, that is exactly what would happen.

Mr. Speaker, it is time to put our money where our mouth is. Let us start balancing the budget now.

WINNERS AND LOSERS

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, now that the 100 days are over, and the politics, rhetoric from the Contract With America have been fulfilled, maybe now we can get back to work as Americans and not as Republicans or Democrats.

The Republicans have had their shot and now I hope the American people listen to what Democrats and the President have to offer in the days ahead as alternatives. It is critical that we have alternatives and not be viewed as obstructionists.

Mr. Speaker, who are some of the winners in the first 100 days? Lobbyists, Exxon, people who make over

$200,000, Rupert Murdoch, big business. At times the contract did not seem like a revolution, but an auction.

Who are some of the losers? Kids, students, minorities, women, environmentalists, and the middle class.

Mr. Speaker, I will give this to the Republicans: They deserve credit for their tenacity and discipline. The question is, are they ready to govern in a bipartisan basis or is the 100 days Contract With America simply going to be politics as usual?

LOSERS IN THE REPUBLICAN CONTRACT

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, the first 100 days has made clear what the Republicans are up to. The contract on America gives new meaning to the words ''women and children first.'' Programs that benefit working Americans are being cut, not for deficit reduction, but for rewards and tax reductions to special interests. Who lost? Women, children, students, working middle-class families and the elderly. Spending for school lunches, nutrition programs like WIC, senior housing, and even Medicare have been slashed. Summer jobs programs for disadvantaged youth, low income heating, housing assistance for over 5 million low-income and elderly families have been terminated.

□ 1115

Cuts in the program have taken place for more than 100,000 police on our city's streets. New school loans, programs for students are being targeted and being cut. Even Social Security is at risk.

Half the tax cuts benefit Americans with incomes over $100,000. That is the richest 12 percent of Americans. In fact, the top 1 percent of the wealthy people get more benefits than 65 million families at the bottom.

Repeal of corporate minimum tax provisions will result in many of our largest and most profitable corporations paying no taxes.

The contract effectively repeals major provisions of environmental law meant to preserve human health and the quality of our air, water, soil, and, indeed, our life.

Republicans pushed term limits because they know it could not pass rather than addressing the real problem by reforming our broken campaign finance system.

WHO WON, WHO LOST—A SUMMARY

The story of who and who lost in the first 100 days of the Republican Congress is clear.

Who won: Billionaires, corporate interests, and wealthy Americans who can hire lobbyists to protect and promote their interests in the GOP Congress. They clearly won, as the GOP Congress sought to: Provide special access for GOP lobbyists; provide tax cuts for the wealthiest Americans; wipe out the corporate minimum tax; ignore Democratic efforts to reform lobbying and gift rules and campaign financing; transferred $1.1 billion that was feeding women, infants and children into a windfall profit for big drug companies; and, let lobbyists undo Federal protection for food, health, and safety.

Who has paid for this unprecedented array of special breaks and privileges is equally clear.

Who lost: America's working families and their children, and our senior citizens. They clearly lost, as the GOP Congress sought to: Cut school lunches and nutritional standards for meals served in schools; slash national college scholarships and increase the cost of student loans for almost five million families; cut the 100,000 cops program to put more police in neighborhoods; cut aid for needed school reform; decimate job training and eliminate more than one million summer youth jobs; cut funds for Big Bird and Sesame Street as well as other educational TV programming; weaken Federal protection for our drinking water, food, and automobiles; make huge cuts in Medicare; abandon America's promise to our senior citizens by opposing Democratic efforts to protect Social Security from budget balancing plans; and, eliminate home heating assistance for senior citizens and working * * *.

A CONTRACT ON MICHIGAN

Winners: Billionaires, Washington lobbyists and well-heeled special interests got huge tax breaks and unprecedented access and influence in the GPO's first 100 days.

Who Paid For It: Working families, children and seniors in Michigan.

1. Michigan Loses Education and Job Opportunities.

151,594 Michigan students will pay more for student loans.

620 of Michigan's kids won't participate in national service and earn college tuition.

458,200 Michigan residents will not benefit from an increase in the minimum wage.

527 entire Michigan schools districts will lose money to make schools safe and drug free.

3,800 Michigan special needs students will lose the extra help they need to learn and succeed.

42,900 Michigan kids will lose summer jobs.

2. Michigan Loses: Feeding and Housing Our Children and Senior Citizens.

743,665 Michigan children are in danger of losing their school lunches.

188,089 mothers will lose some or all of the help they receive to provide nutritious food and milk to their infants and children.

9,930 Michigan children are at risk of losing access to safe, affordable child care.

377,883 Michigan senior citizens, families and kids will lose heating assistance they depend on to get through the winter.

32,852 Michigan families who could have counted on an FHA loan to buy their first homes are in danger of losing their only access to an affordable loan.

3. Michigan Loses: Safer Streets.

387 fewer cops will walk Michigan's streets as a result of the Republican Contract.

561 new cops are keeping Michigan communities safer because of Democratic initiatives in 1994.

CONTRACT ON THE ENVIRONMENT

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, with the new Republican majority, Americans had hoped for the best. Now we know, after 3 months, to expect the worst in terms of Republican partisanship, serving special interests, not the American people and family.

As citizens all across America prepare to celebrate the 25th anniversary of Earth Day, the silver anniversary, tarnished and corrosive effect is taking place on the environment. I am deeply troubled, and Americans are, that in our Nation's Capital the 104th Republican Congress is working furiously to destroy almost all that has been accomplished in the last three or four decades.

This Contract on America has turned into a contract on America's landscapes, on our parks, on our wildernesses, on America's air, contract on America's drinking water, on America's rivers and natural and historic resources and this contract will take a terrible toll.

This environmental assault is an insult to the American people. But the American citizens can do something about it the next 3 weeks. You can make our policymakers see the light or feel the heat. They need to be forcefully reminded that environmental policies and laws are not brutally attacked, were not forged through partisan warfare. They were not the work of Democrats or Republicans alone; rather, they are uniquely derived from years of deliberation, of listening and responding to core conservation values.

That is right, let us have some conservation in those that claim to be conservatives in this Congress.

Those environmental laws and policies have been derived from the ethic of the American people. These policies are based on the wisdom of Americans who by experience, education, and ethics understand that there are some areas of this vast Nation that should not be despoiled.

Let us take back the environment. Let us make these individuals that are advancing these policies see the light or feel the heat.

THE NEXT 2,000 DAYS IN CONGRESS

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, as I watched the celebration that was misdirected on the Capitol steps this morning, Republicans celebrating what was 100 days of gimmickry, I wondered whether or not we really needed to listen to those who were not able to come to the U.S. Capitol, for as we look at some of the headlines saying ''Senate Battle Lines Forming Over Possible Tax Cuts,'' when we see the headlines ''GOP Gets Mixed Review From Public Wary on Taxes,'' and when we find out that ''Despite Change on Hill, Public Still Remains Critical,'' then we must ask the question, did we come here to follow political polls or to be statesmen and stateswomen.

Thomas Jefferson did not have a poll, but he tried to do what was right, and

Ben Franklin, Abe Lincoln, and Franklin Delano Roosevelt.

This past week marked the 27th anniversary of the killing of Dr. Martin Luther King, a simple American who tried to do what was right.

I wonder what the bus drivers, I wonder what the waitresses and teachers and people who work think about what we have done.

I tell you what they want, and I hope that we go forward to make sure that we have summer jobs for our young people this summer and not long, hot summers. I hope we will get an energy policy that will help create jobs in this Nation so that people can truly work. I hope that we will have job training for those people who have lost their jobs because of transition and technology and put the middle-class working man and woman back to work who have lost their jobs.

And then I hope we do something about children who are being molested in our streets and develop a national registration for child molesters so you will know when they come into your neighborhoods.

Lastly, I hope this country recognizes that each and every American deserves an affordable house to live in.

That is what this Government should be about, not about gimmicks and admiration of one man who is the Speaker, because we think we are following campaign pledges.

I hope the next 2,000 days in the U.S. Congress will be representative of the people of America, diverse, different, speaking different languages, looking differently, but caring about one thing, and that is freedom and opportunity.

CONTRACT WITH AMERICA WAS WILDLY SUCCESSFUL

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, the Contract With America was a wildly successful effort in large part because the American people were promised something specific in terms of legislation, not generalities, but specific promises, and those promises were kept.

Day in and day out on this floor a group of politicians came together and kept their promises to the American people.

Today we have heard the reply of the Democrats on the floor. The Democrats can reply only out of fear and only with negativism.

Time and time again we have brought to the floor pieces of specific legislation, and all we have heard is criticism. They have no program. They have only criticism. They have no positive view of America. They have only negativism. They have no program for the future. They have only fear.

Day in and day out we have heard them bring this to the floor, and we have heard it again today. That is too bad.

If we are going to have a real debate about where America should go, they ought to have a program.

I heard a little bit of a program in one speech earlier today. It sounded to me as though they are willing to countenance across-the-board cuts in Social Security. Now, that would be an interesting debate. I hope that we have that kind of debate on the floor.

Republicans have said in our budget we will protect Social Security. We are going to balance the budget by the year 2002. That is going to be the chief work of the days ahead. We will not touch Social Security.

Today I heard on the floor the beginnings of an effort by some Democrats to say that what they are willing to do is balance the budget and do it by countenancing an across-the-board cut in Social Security. It should be a very interesting debate.

We would like to hear something positive out of them, not just criticism.

YES, AMERICA, WE ARE LISTENING

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, the gentlewoman from Texas spoke about hopes. She enumerated hopes. We all share the hopes for our country. We all have great aspirations. We all are doing our best to meet the challenges of this Nation. I think it is fair to say our hopes are the same.

It is just how we achieve those hopes is a little different. We come to Washington with a plan. We are putting that plan into effect, and we hope it is going to solve problems rather than sustain problems, which is what the program of the previous 40 years has done.

This is a great country, and this is a great Chamber. We can express different views here and still have the same hopes for our great Nation.

The gentlewoman has said that we have followed the polls. That is backwards. The polls have followed us in this.

The gentlewoman has said that our agenda is somehow gimmickry. I do not think so. It has achieved a great deal of bipartisanship and support. If you look at every single vote that was taken, it had people from both sides of the aisle supporting our agenda.

The difference is we have been listening to America while they have been defending 40 years of programs that do not work.

Yes, America, we are listening, and we are beginning, and we are going to go forward, and together in a bipartisan way we are going to achieve reality for those hopes so that everybody in America is truly an American with a quality of life that measures the American dream we all have.

WE KEPT EVERY PROMISE

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, to listen to the strident shrieking, incredibly hard words and tone from the other side of the aisle, you would think there was only one party that was voting for the items that we call the Contract With America.

But when you analyze the votes, you find out some very interesting things. First of all, this had bipartisan support for every single vote that was cast. If you look at the average vote for contract legislation in the House, excluding eight contract items the very first day, you had an average of 316 ''yes,'' 110 ''no.'' If you include those eight items from the first day, you have an average of 337 ''yes,'' 90 ''no.'' Seventy-seven percent, 77 percent of the House voted ''yes'' on contract items.

That means that we were not voting as Republicans and Democrats, but occasionally we were also voting as Americans, Americans first, and when the gentleman from Florida says that we were listening to America, he is absolutely right, because there was another very powerful intuitor of what the American people want, in 1992, and he promised to end welfare as we know it, he promised a middle-class tax cut, he promised to lift the Social Security earnings test, he promised a line-item veto, and he reneged on every single promise, and we have kept every single one of those promises.

JOIN US IN MAKING AMERICA STRONG

(Mr. SHADEGG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHADEGG. Mr. Speaker, this is a new day in America, a great new day. It is a day where we talk about promises made and promises kept.

The speaker before me made the point this is not a contract that was partisan. It is a contract which captures the American people's dreams and begins the process of starting change in America.

The eight first-day reforms received an average of 397 votes; 160 of my colleagues on the other side joined us in those reforms. The average of the bills in the Contract With America received 316 votes. That is more than 70 of our Democratic colleagues who joined us in passing those reforms.

Our predecessors promised to end welfare as we know it. They promised a middle-class tax cut. They promised to begin making Government smaller and more responsive, and they failed over and over again.

The American people want change. The Contract With America delivered change. It is the beginning of a tremendous process.

Now, the challenge ahead of us is to balance the budget. I invite the American people, I invite my colleagues to join us in that challenge. It is immoral to continue to put the burden of the debt and the deficit they created in the last 40 years on our children and our grandchildren.

Join us, I urge you. We are going forward to make America strong and better and to give it back to the people, the people who own it, the people who made it, the people whose taxes make it run and who believe in this agenda and in us.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE ACT OF 1995

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to take from the Speakers' table the bill (H.R. 1345) to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 7, line 2, strike out ''or''

Page 7, line 6, strike out ''States.'' and insert ''States;''

Page 7, after line 6, insert:

(3) to amend, supersede, or alter the provisions of title 11 of the District of Columbia Code, or sections 431 through 434, 445, and 602(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act (pertaining to the organization powers, and jurisdiction of the District of Columbia courts); or

(4) to authorize the application of section 103(e) or 303(b)(3) of this Act (relating to issuance of subpoenas) to judicial officers or employees of the District of Columbia courts.

Page 10, strike out lines 7 to 9 and insert:

(4) maintains a primary residence in the District of Columbia or has a primary place of business in the District of Columbia.

Page 12, strike out lines 17 to 24, and insert:

(c) INAPPLICABILITY OF CERTAIN EMPLOYMENT AND PROCUREMENT LAWS.—

(1) CIVIL SERVICE LAWS.—The Executive Director and staff of the Authority may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(2) DISTRICT EMPLOYMENT AND PROCUREMENT LAWS.—The Executive Director and staff of the Authority may be appointed and paid without regard to the provisions of the District of Columbia Code governing appointments and salaries. The provisions of the District of Columbia Code governing procurement shall not apply to the Authority.

Mr. DAVIS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Virginia?

Ms. NORTON. Mr. Speaker, reserving the right to object, I yield to the subcommittee chairman, the gentleman from Virginia [Mr. DAVIS], to explain the nature of the Senate amendments.

Mr. DAVIS. Mr. Speaker, I thank the gentlewoman for yielding.

The Senate has passed the District of Columbia Financial Responsibility and Management Assistance Act with several technical and clarifying amendments and has returned it to the House.

The Houses are not in formal disagreement on the issue. I do not find the amendments to be in conflict with the nature or the purpose of the bill as passed by the House, and I am prepared to accept them and send them, send the bill, to the President for his signature.

The amendments deal with such items as ensuring that the courts are protected, the application of District laws to the Authority, and a clarification of the qualification of the members of the Authority.

Ms. NORTON. Mr. Speaker, I further reserve the right to object.

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, further reserving the right to object, I, too, have examined the amendments, and I will not object to them.

I am inserting a statement from the gentlewoman from Illinois [Mrs. COLLINS], the ranking minority member of the Committee on Government Reform and Oversight, and the gentlewoman from Texas [Ms. JACKSON-LEE] at this point in the debate.

Mr. WALSH. Mr. Speaker, will the gentlewoman yield?

Ms. NORTON. Further reserving the right to object, I yield to the gentleman from New York.

Mr. WALSH. Mr. Speaker, I will be very brief.

I just would like to say that it has been my great pleasure to work with the distinguished Delegate from Washington, our Nation's Capital, who serves with such grace and distinction, the gentlewoman from the District of Columbia [Ms. NORTON], and it has been my pleasure also to work on this bill with the gentleman from Virginia [Mr. DAVIS], a freshman Member from Virginia, and the people of Northern Virginia showed great wisdom in sending this young man to us at this time.

This was a bipartisan bill, passed unanimously by the House under the leadership of the committee chairman, the gentleman from Pennsylvania [Mr. CLINGER], who guided all of us in this endeavor.

This will bring closure to the first step in restoring our Nation's Capital City.

I have enjoyed working with all the Members and with the truly responsible members of city government.

Again, it is a bipartisan effort that we all can take pride in, and I urge unanimous support.

Mr. Speaker, I rise in strong support of H.R. 1345, the District of Columbia Financial Responsibility and Management Assistance Act of 1995, as amended by the Senate last night.

The amendments made by the Senate are, for the most part, clarifying in nature. The amendment on page 7 involves the relationship of the Authority with the District of Columbia courts. The amendment on page 12 clarifies the applicability of certain employment and procurement laws to the Authority's Executive Director and staff.

The amendment on page 10 of the House engrossed bill modifies a provision of the legislation dealing with the required qualification for appointment to the District of Columbia Financial Responsibility and Management Assistance Authority. As the bill now before us reads, persons appointed to the Authority must all ''be individuals who maintain a primary residence in the District of Columbia or who have a primary place of business in the District of Columbia.''

This is a useful change because while maintaining the requirement that all appointees have clear ties to the District, it at the same time broadens the pool of persons eligible to be selected. In that regard, I think it is clear that having ''a primary place of business in the District'' is broader than having to own a business here. There are certainly many people who are not the actual owners of a business located in the District, but whose primary place of business is there. For example, an accountant who works for an accounting firm in the District of Columbia can surely be said to have the District as their primary place of business.

Owning a business, and doing business are not necessarily the same thing, and not everyone who has a primary place of business is the owner of that business.

Mr. Speaker, this is a good compromise with the Senate and I urge my colleagues to agree to H.R. 1345 as amended by the State.

Mr. CLINGER. Mr. Speaker, will the gentlewoman yield?

Ms. NORTON. Further reserving the right to object, I yield to the gentleman from Pennsylvania, the distinguished chairman of the full committee.

Mr. CLINGER. Mr. Speaker, I thank the gentlewoman for yielding to me.

I just want to rise and commend you and the gentleman from Virginia [Mr. DAVIS], the gentleman from New York [Mr. WALSH], and the gentleman from California [Mr. DIXON] for a truly, I think, historic bipartisan effort to bring to the District of Columbia the kind of control that I think is going to be necessary to restore the District to fiscal sanity.

□ 1130

You have been absolute giants in achieving this, and I think it is so important this has been a bipartisan effort. I think it was absolutely essential that we got together as a Congress to accomplish this, so my hat is off to all of you. It was not an easy job. I know the hours, the days, the weeks that were involved in it. The gentleman from Virginia [Mr. DAVIS] particularly who was the chief architect of this, he deserves all the credit that he is going to receive for accomplishing this, and to the gentlewoman from the District of Columbia [Ms. NORTON] I say, ''Again thank you so much for all you have done to make this happen.''

Ms. NORTON. Mr. Speaker, I thank the distinguished gentlemen for their kind and gracious remarks and for all of their unyielding help and determination during this very difficult process. I am pleased that it is at an end and it has received such remarkable support in this House, in the Senate, and I applaud especially the efforts of the subcommittee chairman, the gentleman from Virginia [Mr. DAVIS], who has worked untiringly for fair results.

Ms. NORTON. Mr. Speaker, in the bill originally passed by the House, we set out to require that members of the Authority have a stake in this city, and used as evidence the payment of personal income or business taxes in the District. As part of the technical amendments adopted in the Senate, this language, for the purpose of clarification, was modified to require members to maintain a primary residence or have a primary place of business in the District. As with the original House provision, it is intended that members of the Authority have a clear tax-based stake in the District. Such a stake exists where a person pays personal income taxes or, because his or her primary place of business is headquartered in the District, pays business taxes to the District. Such a stake, however, clearly does not exist where a person merely, by virtue of employment, works in the District but pays no business taxes in the District. As an indication of this intent, the Senate agreed to eliminate a requirement of employment in one of its proposals. By so doing they agreed to the elimination of individuals who work for the government or for private employers but live elsewhere and pay no personal or business taxes in the District of Columbia. As reiterated in each of the hearings on this legislation held by the House Subcommittee on the District of Columbia, such basic stakeholdership is critical to the ultimate legitimacy and success of such authorities.

Section 202(g) allowing line-item authority by the Mayor and the city council is necessary during the control period because the finances all of the revenue of the District must be treated as a whole and the same financial discipline applied in the same fashion to all units that are funded by the District of Columbia government. Home rule requires that first the school board and then the Mayor and the city council initiate any necessary designation and realignment of expenditures before any action may be taken by the Authority. Therefore, there was no way to avoid line-item authority by any of the city's elected leaders. However, Congress intends no interference with the Home Rule Act jurisdiction of the elected board of education. Although no agency is protected from cuts that may be necessary to bring the city's budget as a whole into line, Congress does not intend that there be raiding of the school system budget. The Authority and, if necessary, the Congress itself will enforce the board of education's existing legal prerogatives.

Nor does the Congress endorse recent implications that it would be best for the Board of Education, the school system, or the Superintendent to be under the jurisdiction of other elected officials. The residents of the District, elected officials, or the Authority may make appropriate recommendations in this regard. However, it is not appropriate for Congress to make such a significant change without receiving a recommendation pursuant to hearings and a thoughtful process, and Congress has no evidence that would warrant such a change at this time. In H.R. 1345, Congress has made only those changes necessary to meet the financial emergency that is the subject matter of this legislation.

The Home Rule Charter establishes the Board of Education as an independent agency of the District government and gives it the statutory authority and jurisdiction to determine all questions of general policy related to the schools, direct expenditures, appoint the superintendent of schools, enter into negotiations and binding contracts, provide state certification for personnel, and control the use of public school buildings and grounds. While H.R. 1345 gives line-item authority over the school system's budget to the Mayor and city council, it is not intended to change the relationship between the board of education and city council. Just as the Authority should not be able to reorder the priorities of the Mayor and the city council, the Mayor and the council should not be able to reorder the board of education's educational priorities.

Elected officials and the Authority need to be especially vigilant in guarding the school board's independence. Because there is no bright line between budget and policy, it would not be difficult to trespass into the legitimate areas reserved for the school board. One important way to avoid this problem is, before a final decision is made on any line-item cut in the school system's budget, there should be collaboration and an effort to reach consensus among elected officials and the superintendent of schools. This is how the Mayor and the council will relate to the Authority and it is how they in turn should relate to the schools.

We note that District of Columbia elected officials have worked collaboratively in the past to establish a formula for public school funding similar to funding formulas in many school districts, and these efforts should be continued.

Since Congress gave the district authority to cut the school system's budget during the fiscal year, that authority has been used to make large cuts in the school system's budget late in the fiscal year. September is the time in the fiscal year when the city scrambles to balance its budget by ordering cuts to make up for agency overspending. These actions destabilize school operations and directly impact on local funding. While it is true that the school system spends most of its budget at the beginning of the fiscal year, and spending activities drop during the summer months, the system needs its budgeted money to reopen schools in September, the last month in the fiscal year. If the council is able to raid the school system's budget late in the fiscal year, the board may be unable to balance its budget. Every effort should be made to do careful planning to avoid sudden and unplanned cuts.

Finally, the Congress is particularly concerned that there be no political influence in the operation of the schools or in matters such as the awarding of contracts.

Mrs. COLLINS of Illinois. Mr. Speaker, I am delighted that the District of Columbia Subcommittee's ranking member, ELEANOR HOLMES NORTON, and the subcommittee's Chair, TOM DAVIS, were able to reach agreement with members of the other body on minor technical changes in this bill. Their determination to produce a bipartisan and bicameral piece of legislation has paid off for them and for the residents of the District of Columbia. These two members are to be commended for their fine work.

H.R. 1345, the District of Columbia Financial Responsibility and Management Assistance Act, is a carefully crafted bill which balances the interests of the District and Federal Governments. It provides the District with the relief it desperately needs from the extreme financial crisis confronting it, while it also assures the continued delivery of essential public services to local residents, Federal agencies, and the many millions of our constituents who visit the Nation's Capital each year.

I will continue to work closely with Chairmen CLINGER, TOM DAVIS, and ELEANOR NORTON, to ensure that the Congress does its fair share to help restore the District's financial health and bring an end to the need for this new Authority. I want to see the District back on its feet, and soon.

I am pleased that this bill won the unanimous support of our Members when it was considered on the House floor earlier this week. It deserved the same here today.

Ms. JACKSON-LEE. Mr. Speaker, I rise today in support of the District of Columbia Financial Responsibility and Management Assistance Act. This act will create a presidentially-appointed Financial Control Board to oversee the budget and finances of the District of Columbia government.

The city of Washington, DC, is our Nation's Capital and I believe that the U.S. Congress has a responsibility to ensure that this city remains financially solvent and a shining example of our Nation's commitment to cities.

As a former member of the city council of the city of Houston, TX, I clearly understand the critical issues confronting many of our Nation's cities, such as a shrinking tax base, high unemployment, an increase in crime and, in many instances, a loss of hope among many residents.

Some Americans believe that we should abandon our cities. However, I still strongly believe in our Nation's cities. They deserve our unequivocal support to become economically viable again. Our cities also deserve our support because they serve as central places where all Americans can assemble to celebrate our common cultural heritage.

I applaud my colleagues, ELEANOR HOLMES NORTON of the District of Columbia and THOMAS DAVIS of Virginia for their efforts to secure passage of this bill. After this bill becomes law and the Financial Control Board completes its work, I believe that the District of Columbia will emerge as an even greater city and a powerful symbol of our Nation's promise.

Ms. NORTON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Is there objection to the initial request of the gentleman from Virginia?

There was no objection.

A motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, MAY 3, 1995

Mr. WALSH. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, May 3, 1995.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS NOTWITHSTANDING ADJOURNMENT

Mr. WALSH. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, May 1, 1995, the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

[Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. WYNN] is recognized for 5 minutes.

[Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks].

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 5 minutes.

[Mrs. CHENOWETH addressed the House. Her remarks will appear hereafter in the Extensions of Remarks].

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

[Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks].

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks].

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

[Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks].

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FILNER] is recognized for 5 minutes.

[Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

CONGRESS MUST ACT NOW TO PRESERVE INTEGRITY OF DEPOSIT INSURANCE PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. LAFALCE] is recognized for 5 minutes.

Mr. LAFALCE. Mr. Speaker, today I am introducing several bills designed to address the serious problems posed for the Savings Association Insurance Fund [SAIF] by the current obligations imposed on the thrift industry and the pending disparity between the premiums paid by BIF-insured and SAIF-insured institutions.

Not too many weeks ago, many were denying that a problem even existed. The discussion has now proceeded past that stage, and I believe there is a substantial consensus the problem is real and should be addressed quickly—before it becomes a crisis.

There are a multitude of competing interests involved in the resolution of this difficult problem. These bills need not, and are not intended to, satisfy anyone's or everyone's concerns, and the options I have incorporated are not exhaustive, nor are they mutually exclusive. But I believe they do set forth the major issues we must address, and provide mechanisms for doing so that are reasonably calculated to put this problem behind us. They are intended to move the dialog on this issue to the next stage.

The regulators have now presented quite clearly the nature, extend, and urgency of the problem, and discussed a range of options available to the Congress in general terms. It is my hope that these bills will now move us to focus more concretely on the elements of any meaningful resolution, and allow us to begin to work with the administration, the regulators, and affected parties to identify the specifics of alternative solutions, assess and evaluate them, and then select a course of action.

I. THE PROBLEM

The art of governance is not addressing crises. It is anticipating them and developing public policy options that will preclude their occurrence. In this sense, the Congress now has a rare opportunity.

Had we anticipated and addressed the problems posed by an undercapitalized thrift insurance fund in the mid-1980's, we would never have faced the thrift crisis of 1989. Despite warnings from myself and others, the Congress did not anticipate, and the result was an enormous burden placed on the American taxpayer in the FIRREA legislation.

A. DIFFICULTIES CONFRONTING SAIF

How, different but related problems confront us again. All of the relevant regulators, the Treasury Department, and the GAO—in a report commissioned by myself and Senator D'AMATO—have officially alerted the Congress that we have serious problems which must be addressed in the near term. In summary, those problems are as follows:

The SAIF insurance fund is seriously undercapitalized just at the point it will newly have to assume responsibility for thrift failures from the RTC effective July of this year; the mechanism by which thrift premiums are diverted to pay the interest on the FICO bonds, which were issued to pay for the thrift failures of the 1980's, is no longer viable. According to the FDIC, there is no question that there will eventually not be sufficient thrift premium income to service the FICO obligations. The only question is when that deficiency will occur; and, finally, within the next few months there will be a premium disparity between BIF-insured and SAIF-insured institutions of as much as 20 basis points. Such a substantial differential could adversely affect the thrift industry in a number of ways, inhibiting its ability to raise capital; placing it as a serious competitive disadvantage; causing higher rates

of thrift failures; and providing incentives for legal and regulatory maneuvering that will further reduce the moneys available to recapitalize the SAIF and service the FICO obligations.

B. FINDING A SOLUTION

Some have voiced concerns that the regulators or the administration have not recommended a specific solution. I believe they have done as they should have done, at least thus far—alerted us to the problem, defined it fairly and clearly, and provided several alternative solutions which would address it, which discussing the policy advantages and disadvantages of each. None of the alternatives is clearly substantively correct, intuitively appealing, or politically easy. No regulatory or administration imprimatur will make them so.

Others have suggested that the affected industries need to sit down at the table and arrive at an agreed-upon solution. I welcome the input of the affected thrift institutions, and I believe the industry has behaved responsibly in helping to bring the problem to our attention. I also believe the banking industry has both a policy and a political interest in helping to craft an intelligent and fair solution. But we cannot allow any industry's opinion to finally shape our views. Bank and thrift industry members have an obvious interest in minimizing their own losses. That is a legitimate interest on their part. But it is not our interest as policymakers.

The choice between the various alternatives is a choice for the Congress to make. In making that choice, we must be concerned about questions of equity and ensure that we do not place an undue burden on members of either the thrift or banking industry, and certainly that we not place an inappropriate burden on the taxpayer. But I believe we must not take any reasonable option off the table at this point. Our primary goal must be to safeguard the depositor and preserve the integrity of the deposit insurance system.

Both industries also have an interest in our doing that successfully. No one wins there is a crisis of confidence in the deposit insurance system. Any alternative that will maintain that confidence merits serious consideration.

In preparing these bills, I have explored a multitude of options. I am open to suggestions of other options, but I see only three realistic sources which can provide the funds to solve these problems: The thrift industry; use of the resources already authorized and appropriated to the RTC to handle thrift failures; and some form of participation by BIF-insured institutions. I am willing to consider seriously any and all of these approaches, and combinations thereof, and welcome recommendations about how best to refine them. The best solution may well be that which combines some or all of these options. The best solution clearly will be one on which a majority of the House and the Senate can agree before June 30.

There is, however, yet another option—lowering the standards which govern the reserves which must be held by the insurance funds to protect the depositor. That is an option I would hope we'd reject.

Some of the options I put forward may be viewed as hitting the thrifts too hard. Others may be seen as placing unjustified burdens on the banking industry. Still others may be criticized for their reliance on excess RTC funds which have already been authorized and appropriated for what I believe are comparable purposes. Those criticisms are not my key concerns, although I will certainly take any legitimate criticism into account. But our primary goal must be to safeguard depositors and ensure the integrity of our deposit insurance system.

Any solutions advanced, or any combinations thereof, will necessarily be subject to legitimate criticism and can easily be tossed aside as politically unfeasible. The challenge for the Congress is to avoid the easy path of naysaying and risk avoidance, and work together to craft a reasonable solution.

C. TIMING OF A RESPONSE

Because this issue will be politically difficult to address, it may prove virtually impossible to move independent legislation. Some have suggested attaching a solution to the pending financial services modernization bill or regulatory consolidation legislation. But I believe these bills will move too slowly for us to address the BIF–SAIF problem in a timely manner—that is, before June 30.

I believe a more appropriate legislative vehicle would be the pending regulatory relief bill. Such relief, if properly crafted, is long overdue and the legislation can be expected to move quickly. I also believe the BIF–SAIF issue appropriately arises in this context. It is reasonable, as part of an effort to reduce regulatory and supervisory burdens, to also move to ensure that the deposit insurance program is stabilized and any risks to that system are removed.

We must act quickly. As a policy matter, the problem is upon us. The FDIC has already issued draft regulations which will reduce bank premiums substantially, while leaving thrift premiums at current high levels. In doing so, the FDIC is meeting its statutory obligation. But the premium disparity will be in place in just a few months, and will exacerbate existing thrift industry problems. Politically, it is essential that we act before a change in the premium structure is put in place. Should Congress choose to require any financial participation by the banking industry, it would be much more difficult to impose new financial obligations than to make slight changes in the level of reduction of those existing obligations.

Most importantly, on June 30 of this year, the SAIF will assume responsibility for thrift failures. According to the FDIC, it will do so in a seriously undercapitalized state. A serious economic downturn or the unanticipated failure of a large thrift could bankrupt the fund. We cannot afford to run that risk.

As we move to devise a solution, we must have an eye to the longer term. Some have suggested that it is time to stop talking about banks and thrifts and start talking about moving toward one industry, one charter, and one regulator. That is an issue which merits serious deliberation, and issues like the bad debt reserve which could inhibit such movement from occurring naturally warrant examination.

But if that is our ultimate goal—a question we have yet to decide—we must have an intelligent approach to making the transition. It cannot be achieved by default, because public policy toward the thrift industry is so bankrupt that flight from the industry is the only sensible business solution. In the nearer term, we must make sure our policies do not inadvertently destroy an industry before we even have an opportunity to determine if and how we might wish to restructure it as part of a broader restructuring of our financial services system.

If we are to legislate intelligently on a solution, we must have some perspective regarding how we got to where we are today and some criteria to govern our action going forward. In the balance of my statement, I will discuss the source of the problems we face, the criteria which should govern our search for a solution, and the major issues we must confront as we continue our deliberations.

II. THE SOURCE OF THE PROBLEM

A. STATUS OF THE DEPOSIT INSURANCE FUNDS

In the late 1980's and early 1990's, the Banking Committee and the Congress focused considerable attention on enhancing regulatory oversight of the thrift and banking industries and stabilizing the condition of their insurance funds, through passage of FIRREA in 1989 and FDICIA in 1991.

THE BANK INSURANCE FUND [BIF]

We have arguably been more successful in the context of the Bank Insurance Fund [BIF]. The FDIC reports that the BIF is in very good condition and its prospects are favorable. The BIF is expected to reach its designated reserve ratio, 1.25 percent of insured deposits—the amount reserved to handle anticipated losses and protect depositors—within the next few months. Current law requires that the FDIC move to reduce bank premiums when that occurs, and the FDIC is proposing to lower premiums from the current level of about 24 basis points to approximately 4.5 basis points.

THE SAVINGS ASSOCIATION INSURANCE FUND [SAIF]

In contrast, the FDIC and the OTS report that, while the thrift industry itself is in very good condition, the Savings Association Insurance Fund [SAIF] is deeply troubled. On June 30 of this year, the SAIF must newly assume responsibility for thrift failures

from the RTC, yet it is seriously underfunded. While the BIF is approaching its 1.25 reserve ratio, the SAIF has only $1.9 billion, or 28 cents in reserves for every $100 in insured deposits. Faced with that situation, the FDIC is constrained to keep thrift premiums at current levels. The result will be a premium disparity in the neighborhood of 20 basis points.

Such a disparity will place thrift institutions at a significant competitive disadvantage, inhibiting their ability to raise capital, encouraging them to look to other funding sources which will reduce the assessment base even further, and providing incentives to escape the industry, its charter and its problems. We have already seen Great Western and several other thrift institutions make initial moves to obtain new bank charters. Such efforts are legally permissible and market driven. But they will exacerbate the industry's problems.

B. STRUCTURAL PROBLEMS CONFRONTING THRIFT INDUSTRY

The premium disparity is in fact only an outward manifestation of more fundamental difficulties which become obvious when we examine why the SAIF is so underfunded. Certainly, it should be the industry's obligation to adequately capitalize its insurance fund, and capitalizing that fund should be our priority as policymakers. From 1989 to 1994, SAIF assessment revenue amounted to $9.3 billion. If that revenue had been put solely toward recapitalizing the SAIF, the thrift insurance fund would have been fully capitalized long before now. However, $7 billion of that money—95 percent of SAIF assessments—were diverted from the SAIF to pay off obligations from thrift failures in the 1980s through either the Resolution Funding Corporation—REFCORP—$1.1 billion; the Federal Savings and Loan Insurance Corporation Resolution Fund—FRF—$2 billion; or the Financing Corporation—FICO—$3.9 billion to date. REFCORP and FRF no longer have claims on the SAIF, but the FICO claim will remain as an impediment to recapitalizing SAIF for 24 years.

Establishing parity between the BIF and the SAIF today would require approximately $15.1 billion—$6.7 billion to move the SAIF to the $8.6 billion which would constitute the amount necessary to achieve the designated reserve ratio, and $8.4 billion, which is the amount necessary at current interest rates to defease the FICO obligation. As OTS Director Jonathan Feichter points out, simple mathematics indicates that SAIF members will be unable to generate sufficient premium flows to both recapitalize the SAIF and service the FICO obligations. The SAIF assessment base is declining, and is likely to decline further, and that will worsen both problems.

The situation is further aggravated by the fact that the premiums from the so-called Oakar and Sasser banks are considered unavailable for FICO purposes—making a large portion of the assessment base unavailable for that purpose. Yet making those funds available—if done alone—provides no real solution as it just depletes the funds available to capitalize the SAIF.

1. FICO

The FICO Program was flawed from its inception. I was one of the few Members of Congress to finally vote against the CEBA legislation incorporating this change in 1987. First of all, the level of funding provided—$10.8 billion—was totally insufficient to meet the need. Further, such stringent restrictions were imposed on the expenditure of the money as to render the funding almost useless. The legislation placed an annual $3.75 billion cap on the issuance of FICO bonds in response to industry pressure to minimize the industry's burden of servicing the bonds. In a letter to President Reagan urging him to veto the legislation, I urged that the amount provided was woefully inadequate and would require the Congress to revisit the issue. I noted at the time, ''a poorly funded plan is guaranteed to perpetuate the crisis atmosphere and could eventually result in a taxpayer bailout.''

2. FIRREA

Unfortunately, we have revisited the issue—again and again and again—and the taxpayer bailout devised in the FIRREA legislation became a cornerstone of what proved to be only another partial solution. I opposed FIRREA as I had opposed the 1987 legislation for a number of reasons, but most basically because I not only believed it would not work, but I strongly believed it would make the situation far, far worse. I believed in 1987, and in 1989, and I believe today that a fully funded recapitalization scheme is the only way to restore public confidence in the thrift insurance fund and in the deposit insurance program more generally. Despite repeated efforts, we have still not achieved that goal.

The FIRREA legislation had many laudable goals. Unfortunately it did not strike the proper balance in achieving them. It was no accident that under FIRREA the thrifts remained responsible for the FICO obligation. There was an intentional effort to place as much of the burden of paying for failed thrift institutions and recapitalizing the thrift insurance fund on the thrift industry as possible, so as to minimize the taxpayer contribution.

In the abstract, these are laudable goals. But they are meaningless if the plan devised to achieve them does not work. The ability of the thrift industry to sustain these and other obligations placed on it was justified by FIRREA's proponents on the basis of economic and other assumptions that have proved grievously flawed. Most notably, in 1989 the administration projected annual thrift deposit growth of 6 to 7 percent a year. Since SAIF's inception, however, total SAIF deposits have declined an average of five percent annually.

That should not have been surprising, and I questioned these assumptions and others at the time. The FIRREA legislation was otherwise so punitive to the industry that I believe it forced potentially viable thrifts into failure. The result was to leave fewer thrifts and a smaller assessment base to bear the brunt of the obligations imposed, and increase pressures on the declining number of healthy thrifts which remained.

The previous administration and the Congress constructed a solution that has not worked. The obligations imposed on the thrift industry are not obligations it alone can sustain without once again posing a risk to the taxpayer. We have revisited this issue time and again. It appears we must now do so one more time. If we are to sustain confidence in the Government's ability to manage its deposit insurance system and meet its commitment to depositors, it is imperative that this time we construct a workable and permanent solution.

III. STANDARDS TO BE BROUGHT TO BEAR IN FORMULATING SOLUTIONS

In attempting to do so, we should bring certain standards to bear on the solutions we examine. Most basically, any solution we devise should not rely on optimistic assumptions and projections about what will happen sometime in the future—whether about economic growth, thrift failures, thrift profits, deposit growth, et cetera—for its success. The solution should be workable and permanent.

Beyond that basic point, I concur with the standards that the FDIC has suggested. First of all, any solution should reduce the premium disparity and eliminate to the extent possible the portion of SAIF premiums diverted to FICO assessments. Optimally, the SAIF institutions should and can capitalize their own insurance fund. However, they cannot do so if other obligations eat up a substantial portion of the premium flow. Second, any solution should result in SAIF being capitalized relatively quickly. Third, any solution should address the immediate problem presented by the fact that on June 30 of this year, the SAIF will take over from the RTC the responsibility of handling thrift failures in a seriously undercapitalized state.

I have tried to be sensitive to all of these standards in crafting the various solutions I am putting forward. Not all of them meet all of these goals to the maximum degree I would hope. But I believe if we give serious attention to the specific problems and opportunities posed by various solutions, we can craft an ultimate solution which will.

I am hopeful that the bills I have introduced will focus attention on the relative legitimacy and effectiveness of various specific alternatives. I would now like to discuss some of the major issues we must consider in making the necessary judgments.

IV. THE MAJOR ISSUES

A. BURDENS ON THE THRIFT INDUSTRY

1. UTILITY OF A SPECIAL ASSESSMENT

There is much to comment some reliance on a reasonable one-time special assessment on the thrift industry, as part of a broader solution which otherwise addresses the current problems. Such an assessment could never be sufficient to solve the problems we confront, or even to fully capitalize the fund. Any onerous assessment would simply place the industry, and especially weaker institutions, in an even more difficult position than the one in which they now find themselves. But a reasonable assessment provides a real opportunity to frontload the capitalization of the SAIF and that is an important goal.

Certain principles should govern any such assessment. It should be reasonable. It should be structured to be paid in installments so it is not necessarily an immediate hit on capital. Some flexibility should be granted to institutions in terms of the payment schedule. The FDIC should be given some discretionary authority to exempt, or reduce the assessment for, institutions which are troubled or would become troubled if the assessment were imposed.

Any special assessment should be structured so as to capture current members of the SAIF. Otherwise, the potential for such an assessment will simply provide yet another incentive for thrifts to move out of the system.

2. CAPITALIZATION OF THE THRIFT FUND

There are various approaches to sharing the two primary obligations which arise—capitalizing the SAIF and servicing the FICO obligations. However, from my point of view it is more intuitively appealing and has more substantive merit to have the thrifts focus their primary effort on recapitalizing their insurance fund. Premiums are intended for insurance fund purposes and ideally we should minimize diversion of those monies, in either fund, for other purposes. We may not be able to totally honor that standard and solve the problem, but we should try, and in the future we should avoid diverting insurance fund premiums to multiple uses.

It is also true that the FICO bond servicing imposes the more onerous obligation, not so much in overall amount—although the amount needed to defease the bonds is somewhat greater than the amount needed to recapitalize the fund—but because it creates the prospect of a long-term and substantial premium disparity if the thrifts alone must service the bonds. These bonds are 30-year bonds and noncallable. They will not be paid off until 2019. Such a long-term disparity is fundamentally debilitating for the thrift industry and will simply create greater incentives for legal and regulatory maneuvering.

3. PREMIUM DIFFERENTIAL

Any solution should attempt to minimize the premium differential between BIF and SAIF institutions. A differential of the size currently pending places thrifts at a serious competitive disadvantage, will reduce thrift ability to raise capital, and could induce additional failures, creating further problems for the industry and its fund.

I believe the ability of the thrifts to sustain the adverse impact of such a differential depends on its size and longevity: a modest disparity—nothing as large as the pending disparity—might be manageable for three or four years, if the certainty of parity were to follow. But a long-term disparity of any consequence—for example, double digits—is fundamentally debilitating and only provides incentives for thrifts to reduce their assessment base, change their charter, or otherwise remove themselves from the line of fire.

I have tried to generally construct options that would keep any disparity at no more than a 9-basis-point level. Even that may be too high. Moreover, I am disposed toward those options which minimize not only the size but the term of the differential.

B. APPROPRIATE USE OF EXCESS RTC FUNDS

Some argue that it is politically impossible for the Congress to make any use of the taxpayer money represented by the estimated $10 to $14 billion in excess RTC funds that have been authorized and appropriated, but not expended, on thrift losses. If there is conceptual justification for utilizing those resources—and I believe there is—we should not be too timid to even discuss it. I am unwilling to take any option completely off the table without some reasonable substantive discussion. Some or all of these moneys could, in theory, be made available to help capitalize the SAIF or help service the FICO obligations, or at least to provide a backstop against thrift losses while the SAIF fully recapitalizes.

I have always tried to minimize the adverse impact of the SAIF recapitalization effort on taxpayers. In fact, I voted against FIRREA because I believed that, in two important respects, it did not minimize the taxpayer burden.

First of all, I believed that borrowing to pay for the legislation unnecessarily increased the costs to the taxpayer and passed those costs on to future generation. I believed that borrowing was both fiscally and morally irresponsible, and I offered an amendment on the House floor which would have required that we pay for what we were doing. Unfortunately that amendment failed, the final legislation required that the Government once again borrow, and the cost to the taxpayer—and burden on future generations—has been greater as a result.

My opposition to FIRREA was also based on the fact that I believed that the rapid imposition of much stricter standards on thrifts precipitated the failure of otherwise viable institutions, increasing the cost of thrift failures and the burden on the taxpayer. Had more thrifts survived, the then optimistic projections about deposit growth and the size of the assessment base might have proved more accurate and we might not be confronting the problems we face today.

While I believe we must try to minimize the burden on the taxpayer, that does not mean we should not consider using moneys already authorized and appropriated for the purposes it was intended to be used. It is clear from the legislative history that Congress fully realized that its assumptions in FIRREA might prove overly optimistic, and that additional Treasury funds would be required to fully capitalize the SAIF. The legislation did in fact provide for that contingency.

FIRREA authorized the appropriation of funds to the SAIF in an aggregate amount of up to $32 billion to supplement assessment revenue by ensuring an income stream of $2 billion each year through 1999 and to maintain a statutory minimum net worth through 1999. Subsequent legislation extended the date for receipt of Treasury payments to 2000. Despite repeated requests by the FDIC, however, appropriations for these purposes were never requested and SAIF never received any of these intended funds. Had they been received, the SAIF would have been capitalized by now.

The FDIC again raised the looming problems in the thrift industry at the time Congress considered the RTC Completion Act. As the FDIC noted at that time, the legislation left ''unresolved issues regarding the viability and the future of the thrift industry and the SAIF.'' The failure to address the issue then has only postponed the inevitable.

The fundamental tension on this issue is reflected in existing legislative provisions intended to deal with the possibility that additional Treasury moneys might be necessary, although these provisions limit their use to covering losses. The excess RTC money is technically available to pay for losses until 1998. In fact, two other funding sources are in theory available to pay for losses: First, an authorization for payments from the U.S. Treasury of up to $8 billion for losses incurred by the SAIF in fiscal years 1994 through 1998; and second, unspent RTC money during the 2 years following the RTC's termination on December 31, 1995.

However, to obtain these funds, the FDIC must certify to Congress that an increase in SAIF premiums would reasonably be expected to result in greater losses to the Government, and that SAIF members are unable to pay assessments to cover losses without adversely affecting their ability to raise and maintain capital or maintain the assessment base. The certification requirement was made onerous to make taxpayer money the last resort. In theory, that is appropriate. But I believe that the standard was made so high that certification is virtually impossible.

There is ample evidence that Congress anticipated the need for, and attempted in various ways to provide for, greater use of taxpayer dollars to capitalize the SAIF or cover losses. Moneys to help capitalize the SAIF were, however, never requested of the Congress or made available by it, and FDIC access to additional resources even for purposes of covering losses has been unduly restricted. Using excess RTC moneys to service FICO obligations, help capitalize the SAIF, or serve as a backstop against losses while the fund recapitalizes are conceptually consistent with that original congressional intent and merit consideration.

It was also anticipated in FIRREA that the bulk of thrift failures would have been resolved by the time the SAIF assumed responsibility from the RTC. However, repeated delays in providing adequate funds to the RTC delayed the resolution process. As a result, the burden and risk the SAIF will be assuming this summer is greater than it might have been. At the very least, we should therefore consider using excess RTC funds as a backstop for the SAIF to cover additional losses until the SAIF is better capitalized.

There may indeed be some intractable Budget Act or pay-go problems associated with using the excess RTC funds, although the problems may be more readily addressed if the funds are somehow used as a backstop. Whether, and to what extent, these problems exist, and how they might be resolved, merit exploration before the option is dismissed. If the administration and the Congress believed use of these funds in any of these fashions were appropriate, and were committed to such an option, I would imagine a solution to these problems might be found.

C. POSSIBLE USE OF FUNDS FROM BIF-INSURED INSTITUTIONS

Some have suggested that BIF-insured institutions participate financially in the solution, either through participation in the FICO obligation, a fund merger, or both. I appreciate their reluctance to be called upon to do so. They argue it is not their industry and not their problem, and that they have committed substantial resources to putting their own insurance fund on a sound footing. These arguments have substantial merit. But they are not the whole story.

First of all, I believe both the banking and thrift industries have a common interest in the integrity of the deposit insurance program. No constituent of mine has ever spoken of the confidence generated in his financial institution by the soundness of the BIF or the SAIF. In most cases, consumers have little idea which fund insures their deposits. What they have confidence in is the fact that their deposits are FDIC insured. A breach of that confidence adversely affects both thrifts and banks.

Moreover, we have only to look at the degree to which the FIRREA legislation and associated taxpayer costs have poisoned the well as we have considered legislation on financial modernization and safety and soundness issues affecting our banks to know that a problem in one industry is a problem for both. We have yet to pass modernization legislation. We may yet be unable to do so, because of concerns about safety and soundness and putting taxpayer dollars at risk. While FDICIA incorporated some real accomplishments, it was also in many ways an extreme regulatory overreaction to the thrift crisis that we are still trying to ameliorate. The relationships drawn in the public's mind between these issues demonstrates that neither industry can afford to be indifferent to the concerns of the other.

On a more practical level, the relationships between the industries, and the desire for fuller relationships, are real. Banks hold at least one-third of SAIF deposits. They use the Federal Home Loan Bank advance window. They have purchased thrifts—often less expensively than might otherwise been possible because onerous burdens placed on the industry put many thrifts on the auction block at the same time—to enhance their branching network or make use of the benefits of a broader thrift charter. Banks can and do become Federal savings banks which, while BIF-insured, constitute a variant of the thrift charter. Bank holding companies have thrift subsidiaries. It seems then unreasonable to suggest that thrift holding companies cannot form comparable relationships with banks.

Many banks support modernization legislation that would remove arbitrary barriers between types of financial institutions—yet they seem to want to maintain some arbitrary barriers in this instance. These industries are not two completely segregated subgroups that have nothing to do with each other. Clear relationships exist. It is somewhat disingenuous to suggest that those relationships should only exist when they are of benefit to the banking industry.

I do have great sympathy for the desire of the banking industry to see bank premiums reduced substantially later this year. I believe such a reduction is rightfully expected and warranted, given the provisions of current law. It has also been earned by the substantial contributions the banks have made to their fund in recent years. Many banks have already incorporated such anticipated changes into their business plans, as they might reasonably do. Once the fund is appropriately recapitalized, moneys which have been put into premiums can usefully be made available to provide loans to bank customers.

In my view, any solution involving the banks should not delay a reduction, or substantially intrude upon the level of such a reduction. I do believe, however, a reasonable argument can be made that it might be prudent not to take the premiums below 6 basis points this year until a solution to the broader problems the FDIC has identified in the thrift component of the deposit insurance program is found.

I also believe that the idea of merging the funds merits serious discussion. Even if this is not effected in the near term, I believe an eventual move to one fund, one charter, and one Federal regulator is something we should seriously consider. Were we to consider such an option in the short term, however, it would need to be done with great care. In order for bank premiums to come down substantially this year, as the industry has a right to expect, additional time might be required to allow the combined fund to meet its designated reserve ratio, and a special assessment on the thrifts might reasonably be considered in order to provide coverage for any new risks they bring to the combined fund.

I understand and appreciate the banking industry's argument that it did not solve the thrift industry problems of the 1980's and should not be responsible for solving them. But the healthy thrifts which remain did not create those problems either. Moreover, a focus on placing blame makes no meaningful contribution to the debate. Banking industry funds may or may not need to be part of any solution to pending thrift industry problems, but in either case I believe the quality of the solution will be enhanced by their participation in the discussion.

D. FDIC AUTHORITY

1. RESERVE RATIO

In recent testimony before the Banking Committee, one of the witnesses, Professor Kenneth Thomas of Wharton, argued that the 1.25 reserve ratio was an inadequate safeguard and should be increased to 1.5. I have not proposed that such a change be made, and the bills I am introducing do not include a proposal that the reserve ratio be increased. Nor should any proposal I am including delay a premium reduction once the BIF reaches the 1.25 reserve ratio. I do believe, however, that the proper level of that ratio is a serious issue which merits examination.

Some have characterized such a suggestion as outrageous. I believe it is only responsible and prudent. It is critical that the insurance funds maintain sufficient reserves to protect depositors and taxpayers. To the best of my knowledge, there has been no meaningful analytical work demonstrating clearly that 1.25 is the appropriate ratio. Certainly, no fund could realistically be sufficient to address the kinds of structural problems both the banking and thrift industries have faced in the past decade, and that should not be our goal. We should also try to avoid excessive fund build-up. Once the fund is adequately protected, resources are better used for lending and community investment than to an unnecessary piling up of reserves. Nevertheless, we should be prudent. I will be looking to

the FDIC and the GAO for more substantial analysis of this important issue.

I do believe, however, that it is important to clarify that the 1.25 ratio is not an absolute and precise target. It should be viewed as a floor, with some limited discretion available to the FDIC to maintain a cushion above that level without permitting an excessive build-up. I believe it is excessive to require that the FDIC establish significant risk of substantial future losses to the fund for the year before being permitted to increase the reserve even very modestly above that level.

Chairman Helfer has made a convincing argument that the FDIC should refocus its mission, seeing its role less as resolving failed institutions and more as anticipating future problems. I believe there is overwhelming merit in that argument. Economic conditions change, as do the risks posed by bank portfolios. If the FDIC is to effectively play that new role, it must have some flexibility. There have in fact been recent indications that bank investment strategies have changed, some of the sources fueling bank incomes will not continue to be available over the long-term and some banks might be at risk in an economic downturn. We cannot ignore the lessons of the past.

We must however balance concerns about protecting depositors with the need to increase credit availability. Money going into an insurance fund is not going to consumers. I believe the FDIC should proceed to reduce bank premiums substantially, as planned, once the BIF reaches the 1.25 ratio set under current law. If a further cushion is deemed prudent, it can be built up gradually without impeding the near-term reduction.

2. FDIC DISCRETION

I also believe it is time to examine the issue of FDIC discretion more broadly. As Chairman Helfer has emphasized, the FDIC is precluded by a variety of statutory provisions from addressing the problems it has identified on its own authority. I would not casually give congressional authority over to a regulatory agency. However, I believe that some of the strictures under which the FDIC is currently operating are excessive and unnecessary. One of the legislative options I suggest would clarify or expand the FDIC's regulatory authority in a number of regards: provide it with greater authority to administer the FICO bond obligation; modify the certification requirements; provide discretionary authority to impose a modest special assessment on thrift institutions to frontload the capitalization of the fund; provide greater discretion to maintain a small cushion beyond the target reserve ratio in each fund; and provide limited authority to transfer resources between funds.

The last item may be particularly controversial. But that does not mean we should not examine it. In general, I concur that the premium levels for each fund should be set independently. However, the job of the FDIC is not to manage two funds. It is to manage a deposit insurance program and protect depositors of both banks and thrifts. It cannot do so effectively if its hands are tied so that it is forced to explicitly ignore the impact that the status of one fund has on the members of the other. The FDIC should have some flexibility to address that problem.

E. POSSIBLE PROBLEMS POSED BY GOODWILL CASES

Some of the bills I have introduced address the issue of creating a reserve to have available should adverse judgments against the Government be made in the pending goodwill cases. These cases point out yet again that the consequences of FIRREA are with us still.

In the 1980's, some healthy thrift institutions entered into contracts with the Government under which they purchased failed or failing thrift institutions the then thrift insurance fund—FSLIC—did not have the funds to resolve. Since the Government could not make depositors whole by covering the loss, the acquiring institutions were instead permitted to count as tangible capital for a limited period of time an intangible asset called ''supervisory goodwill'' which they were to work off their books over time, thus absorbing those losses slowly.

In FIRREA, supervisory goodwill was no longer permitted to count as tangible capital and institutions holding this asset were required to remove it from their books precipitously. I never questioned that the Government could break these contracts. But I consistently argued that it could not do so without being subject to damages. Recent court cases indicate the courts have considerable sympathy for my argument. The FDIC has already paid out claims on two such cases; many others are pending. Rulings adverse to the Government could cost the taxpayer additional billions.

Again, this is a problem we should have anticipated. I argued that an undue emphasis on being tough on the thrift industry in FIRREA would result in yet greater cost to the taxpayer in the long-term, and argued against the rapid imposition of the new standards, unfortunately to no avail. The possibility I foresaw may unfortunately now become a reality.

It is sometimes cost effective to be temperate, and I hope the lessons of the past will help encourage some temperance as we deal with current problems.

V. CONCLUSION

The problems are real, and I believe we have an obligation to address them now. It is my hope that placing some more specific options on the table will generate useful information, reactions, discussion, debate, and then, resolution.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE addressed the House. Her remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes.

[Mr. SANDERS addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

CALL FOR CLARIFICATION OF ETHICS COMMITTEE'S RULES

The SPEAKER pro tempore. There being no designee of the majority leader, under the Speaker's announced policy of January 4, 1995, the gentleman from New Jersey [Mr. TORRICELLI] is recognized for 60 minutes as the designee of the minority leader.

Mr. TORRICELLI. Mr. Speaker, several weeks ago in one of those moments that comes to define an individual's values and sense of responsibility, several members of the executive branch came to me with extraordinary information. It was revealed to me that several years ago an American citizen in Guatemala was murdered by a contract employee of the Central Intelligence Agency. It was further revealed to me that in the years that passed there was a conscious effort to prevent that information from being known. Indeed the person responsible for the murder of an American citizen was never brought to justice. This was, Mr. Speaker, a difficult moment because I recognized the importance of maintaining confidentiality of sources of intelligence information, and indeed, as a member of the Intelligence Committee, I signed an oath not to reveal classified information. It was my judgment to ascertain from the Intelligence Committee confirmation that I never participated in classified briefings and had never received classified information with regard to Guatemala. This was a measure of how seriously I took my oath to preserve confidentiality.

I then proceeded to consult with the ranking member of the Committee on International Relations where I serve and with the minority leader, the gentleman from Missouri [Mr. GEPHARDT], to receive their advice and good counsel before proceeding in writing to the President of the United States to reveal this rather extraordinary information. Their counsel was that I should be guided by my own sense of ethics and responsibility, but proceed in informing the President and the American people.

In the days that have followed this country has learned a good deal. Indeed the President and this Congress have learned a great deal about activities of the Central Intelligence Agency in Guatemala, their adherence to the law,

the intelligence community's sense of responsibility, informing the President and this institution.

In more recent days the Speaker of the House and the chairman of the Permanent Select Committee on Intelligence have raised the issue that while indeed I may never have participated in classified briefings or had classified information as a member of the Intelligence Committee, that since the 103d Congress each Member of this institution has also had a separate oath not to disclose classified information. That oath is no less serious. It is, however, in my judgment, under these circumstances, where the issue is criminal activity on behalf of an intelligence agency of this Government, that involves a question of the taking of life and a felony, and potentially concealing that information from law enforcement authorities; that oath is in direct conflict with the oath every Member of this Congress also takes as prescribed in the Constitution of the United States to adhere to the Constitution and the laws of the United States. It also is in direct conflict with the statutory responsibility of every American citizen to uphold the laws of our country and not to engage in conspiracies, to maintain silence in the face of criminal activity or indeed take any action that would maintain silence regarding those activities. It also in my judgment is in conflict, Mr. Speaker, with the basic ethical responsibility of Members and their duty to reveal illegal activities and the inherent oversight responsibilities of the U.S. Congress to assure that the agencies of this Government are adhering to the laws.

Finally, Mr. Speaker, in my judgment, in this day while the majority is celebrating the conclusion of the 100 days of their Contract With America, invites the most ironic conflict of all. On the 1st day of this 104th Congress on a bipartisan basis this Congress came to the judgment that we would live by the laws that govern all other Americans. All other Americans have a duty, Mr. Speaker, not to conceal criminal activity, to take no action to further a criminal conspiracy.

Mr. Speaker, when I faced the ethical dilemma of whether to disclose the murder of an American citizen by a contract employee of a member of the Central Intelligence Agency, I was guided by my oath as a Member of this institution as prescribed by the Constitution of the United States, the statutes of this country governing the duty not to participate in concealing criminal activity, by my own ethical sense of responsibility as a citizen of this country, and finally by my duty to abide by the laws that govern all other Americans. I do not, however, make light of the speaker's observation that there is an obligation for these last 2 years to also, as a Member of this institution, not to disclose classified information, though I do so while vigorously denying, as I think is now beyond question, that I never did receive classified information as a member of the Intelligence Committee and am, therefore, not in violation of this separate and distinct oath.

Recognizing that there is this conflict of judgment between my interpretation and interpretation shared by the minority leader, Mr. GEPHARDT, and, I believe, many Members of this institution and the public, and a judgment that appears to be shared by the Speaker of the House, Mr. GINGRICH, and the gentleman from Texas, Mr. COMBEST, I have informed Mr. GINGRICH and Mr. COMBEST of my intention to write to the Ethics Committee on this day, inform them what I believe is a legitimate conflict of laws and obligations, that I should receive, and this institution should receive, some guidance in what I think is a clear conflict of responsibility between those oaths and the governing authorities and that the Ethics Committee should reach some judgment, if only for guidance purposes, because the conflict that I received, the conflict in which I found myself, is unlikely to be the last time a Member of this institution faces exactly the same circumstances.

Mr. Speaker, while I welcome the Ethics Committee's addressing of this issue, I want finally to simply say to my colleagues on both sides of the aisle that reforming government, the new relationship this Congress seeks with the American people is not simply about reforming budgets or governmental programs. The most important reform that this Congress requires to restore faith to the American people is to tell the truth. If we cannot tell the truth to the American people, when one of our own citizens is murdered, in violation of our laws, by an intelligence community that is operating at variance with our national purpose, when there has been a clear conspiracy to prevent the truth from being known, and our Government has not proceeded with the prosecution of the person who was known and is responsible, Mr. Speaker, how can we ever keep faith with the American people?

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I know that people take issue with my own moral judgment in this instance, but I believe on reflection they will find that in the final analysis I had no choice, and that to keep faith with the American people, my colleagues who find themselves in the same dilemma in the future would do best for our country and this institution to do the same.

Mr. Speaker, there are times in the life of this country, and indeed in any republic, when no matter how noble our purposes, there are compromises that must be made. The first obligation of any free people is to preserve their system of government and their freedom.

There are times of great international struggle, and indeed of the cold war, when it was necessary for our Nation to compromise some of our most important principles. We did things and we made agreements with people, we compromised judgments, because we had no choice. Indeed, in some instances that will still be the case. But no one can argue that the struggle in Guatemala requires a compromise that involves shielding the murder of an American citizen.

Indeed, when this controversy passes, I hope if nothing else is achieved, it is that this Congress and this President face the threshold issue that there simply in nations like Guatemala, in places that were the battleground of the cold war, no great issue is at stake that involved the expenditure of our national treasures, the compromise of principles, or the taking of lives, of Americans or others, for what are certainly internal struggles with legitimate purposes by other nations that do not involve the United States.

I do not take issue with clandestine, covert operations or contract relationships in foreign intelligence or military services when it involves the security of the United States. But I do take issue with doing so when our national security is not involved, and when the laws of this country are violated.

We were not protecting the security of the United States by maintaining secrecy in Guatemala. We were protecting the Central Intelligence Agency from the laws of the United States and embarrassment by our own people.

Mr. Speaker, we did not come to this institution as Members, Democrats or Republicans alike, to defend an agency of this Government. We came here to protect the interests of the American people. Whether the Central Intelligence Agency long endures, whether it exists decade to decade, is of no great moment. What matters is whether the people of this country keep faith with this Government. Lying to our people, covering the crimes of any agency of this Government, will not keep faith with our people.

I know that different Members in the same circumstances may have reached a different judgment. I did what I thought was right, I did what I think is consistent with the laws of our country, my oath of office under the Constitution of the United States, in keeping with what I think are the great traditions of our country and the desires of my constituents. In that I make no apology.

But I do ask now that the Speaker, the chairman of the committee, join with me and the minority Members of this institution in seeking guidance from the Committee on Ethics to assure that we have a common understanding of how to deal with this conflict of oath and this ethical question in the future.

Mr. Speaker, I thank you for this opportunity, and yield back the balance of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TORRICELLI) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. LAFALCE, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

(The following Member (at the request of Mr. WALSH) to revise and extend her remarks and include extraneous material:)

Mrs. CHENOWETH, for 5 minutes, today.

(Mr. GINGRICH (at the request of Mr. WALKER), and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,275.)

ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. KIM). Pursuant to the provisions of House Concurrent Resolution 58, 104th Congress, the House stands adjourned until 12:30 p.m. on Monday, May 1, 1995.

Thereupon (at 11 o'clock and 53 minutes a.m.), pursuant to House Concurrent Resolution 58, the House adjourned until Monday, May 1, 1995, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

697. A letter from the Under Secretary of Defense, transmitting the Secretary's Selected Acquisition Reports [SARS] for the quarter ending December 31, 1994, pursuant to 10 U.S.C. 2432; to the Committee on National Security.

698. A letter from the Secretary of Education, transmitting a draft of proposed legislation entitled, ''Carl D. Perkins Career Preparation Education Act;'' to the Committee on Economic and Educational Opportunities.

699. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled, ''Amtrak Restructuring Act of 1995'', pursuant to 31 U.S.C. 1110; to the Committee on Transportation and Infrastructure.

700. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled, ''Interstate Commerce Commission Sunset Act of 1995;'' to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS (for himself and Mr. MONTGOMERY):

H.R. 1468. A bill to amend title 38, United States Code, to revise and improve veterans' health care programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MONTGOMERY:

H.R. 1469. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain contributions made pursuant to veterans' reemployment; to the Committee on Ways and Means.

By Mr. LAFALCE:

H.R. 1470. A bill to provide for sufficient funding to cover the costs of the Financing Corporation, to provide funds to carry out the purposes of the Savings Association Insurance Fund, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1471. A bill to provide for sufficient funding to cover the costs of the Financing Corporation, to provide funds to carry out the purposes of the Savings Association Insurance Fund, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1472. A bill to provide for sufficient funding to cover the costs of the Financing Corporation, to provide funds to carry out the purposes of the Savings Association Insurance Fund, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1473. A bill to provide for claims against the United States arising from changes in the statutory treatment of supervisory good will on the books of saving associations; to the Committee on Banking and Financial Services.

H.R. 1474. A bill to amend the Federal Deposit Insurance Act to improve the requirements relating to the designated reserve ration for the deposit insurance funds and the procedures for funding the reserves in such funds, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1475. A bill to imerge the Bank Insurance Fund and the Savings Association Insurance Fund, to require savings associations to continue to pay assessments to the Financing Corporation, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1476. A bill to merge the Bank Insurance Fund and the Savings Association Insurance Fund, to improve funding for the Financing Corporation, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1477. A bill to merge the Bank Insurance Fund and the Savings Association Insurance Fund, to improve funding for the Financing Corporation, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1478. A bill to provide for adequate funding for the Savings Association Insurance Fund, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1479. A bill to provide for adequate funding for the Savings Association Insurance Fund and the Financing Corporation, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1480. A bill to stabilize the condition of the Savings Association Insurance Fund, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 1481. A bill to clarify the regulatory authority of the Federal Deposit Insurance Corporation with respect to deposit insurance fund management, and for other purposes; to the Committee on Banking and Financial Services.

By EVANS (for himself, Mr. MONTGOMERY, Mr. MASCARA, Mr. FILNER, and Mr. GUTIERREZ):

H.R. 1482. A bill to amend title 38, United States Code, to improve certain veterans programs and benefits; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself, Mr. MASCARA, Mr. FILNER, and Mr. GUTIERREZ):

H.R. 1483. A bill to amend title 38, United States Code, to allow revision of veterans benefits decisions based on clear and unmistakable error; to the Committee on Veterans' Affairs.

By Mr. KILDEE:

H.R. 1484. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; to the Committee on Economic and Educational Opportunities.

By Mr. VENTO:

H.R. 1485. A bill to exclude certain electronic benefit transfer programs established by State or local governments from provisions of the Electronic Funds Transfer Act; to the Committee on Banking and Financial Services.

By Mr. HERGER (for himself, Mr. FAZIO of California, Mr. DOOLEY, Mr. RIGGS, Mr. GALLEGLY, Mr. POMBO, Mr. CALVERT, Mrs. SEASTRAND, Mr. MATSUI, Mr. FARR, Mr. CONDIT, Mr. THORNTON, Mr. BISHOP, Mr. BROWN of California, and Mr. THOMAS):

H.R. 1486. A bill to provide for a nationally coordinated program of research, promotion, and consumer information regarding kiwifruit for the purpose of expanding domestic and foreign markets for kiwifruit; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER of Louisiana (for himself and Mr. CHRYSLER):

H.R. 1487. A bill to reform and modernize the Federal Home Loan Bank System; to the Committee on Banking and Financial Services.

By Mr. BARR (for himself, Mr. MCCOLLUM, Mr. BRYANT of Tennessee, Mrs. CHENOWETH, Mr. STOCKMAN, Mr. BARTLETT of Maryland, Mr. BREWSTER, Mr. TAUZIN, and Mr. VOLKMER):

H.R. 1488. A bill to control crime by increasing penalties for armed violent criminals; to the Committee on the Judiciary.

By Mr. BONILLA:

H.R. 1489. A bill to designate the U.S. Post Office building located at 508 S. Burleson, McCamey, TX, as the ''Claude W. Brown Post Office Building;'' to the Committee on Government Reform and Oversight.

By Mr. VENTO:

H.R. 1490. A bill to expedite the naturalization of aliens who served with special guerrilla units in Laos; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. LAFALCE, Mr. MCCOLLUM, Mr. BAKER of Louisiana, Mr. KING, Mr. FRANK of Massachusetts, Mr. ROYCE, Mrs. MALONEY, Mr. CHRYSLER, and Mr. FOX):

H.R. 1491. A bill to expand credit availability by lifting the growth cap on limited service financial institutions, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. CRANE:

H.R. 1492. A bill to amend the Internal Revenue Code of 1986 to provide that service performed for an elementary or secondary school operated primarily for religious purposes is exempt from the Federal unemployment tax; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. RANGEL, and Mr. COX):

H.R. 1493. A bill to amend the Internal Revenue Code of 1986 to allow nonitemizers a deduction for a portion of their charitable contributions and to exempt the charitable contribution deduction from the overall limitation on itemized deductions; to the Committee on Ways and Means.

By Mr. DIAZ-BALART (for himself, Mr. BURTON of Indiana, Ms. ROS-LEHTINEN, and Mr. FUNDERBURK):

H.R. 1494. A bill to amend the National Security Act of 1947 to establish the positions of Director, Deputy Director, and Senior Directors of the National Security Council and to require that their appointments be subject to confirmation by the Senate, and for other purposes; to the Committee on National Security, and in addition to the Committees on International Relations, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FIELDS of Texas (for himself and Mr. MARKEY):

H.R. 1495. A bill to amend the Investment Company Act of 1940 to promote more efficient management of mutual funds, protect investors, and provide more effective and less burdensome regulation; to the Committee on Commerce.

By Mr. FIELDS of Texas (for himself, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mr. KING, Mr. FATTAH, Mr. YATES, Mr. OXLEY, Mr. LIPINSKI, Mr. CALVERT, Mr. FRAZER, Mr. BROWN of Ohio, Mr. GENE GREEN of Texas, Mr. JEFFERSON, Mr. HANSEN, Mr. HALL of Texas, Mrs. CLAYTON, Mr. FOX, Ms. DELAURO, Ms. LOFGREN, Mr. MONTGOMERY, Mrs. KENNELLY, Mr. HORN, Mr. PALLONE, Mr. JACOBS, Ms. LOWEY, Mr. FROST, Mr. EVANS, Mrs. MEEK of Florida, Mr. OLVER, Ms. PELOSI, Mr. SANDERS, Mr. SCHUMER, Mr. ENGEL, Mr. GUTIERREZ, Mr. GEJDENSON, Mr. ROMERO-BARCELÓ, Mr. BORSKI, Mr. WYNN, Mr. HALL of Ohio, Mr. BOUCHER, Mr. MCHALE, Mr. JOHNSON of South Dakota, and Mr. FOGLIETTA):

H.R. 1496. A bill to amend title XVIII of the Social Security Act to provide for coverage of early detection of prostate cancer and certain drug treatment services under part B of the medicare program, to amend chapter 17 of title 38, United States Code, to provide for coverage of such early detection and treatment services under the programs of the Department of Veterans Affairs, and to expand research and education programs of the National Institutes of Health and the Public Health Service relating to prostate cancer; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself and Mrs. CHENOWETH):

H.R. 1497. A bill to amend the Internal Revenue Code of 1986 to revise the limitation applicable to mutual life insurance companies on the deduction for policyholder dividends and to exempt small life insurance companies from the required capitalization of certain policy acquisition expenses; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 1498. A bill to modernize the Federal Reserve System, to provide for a Federal Open Market Advisory Committee, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HEINEMAN (for himself, Mr. COBLE, Mr. TAYLOR of North Carolina, Mr. BURR, Mr. JONES, Mrs. MYRICK, Mr. ACKERMAN, Mr. BLUTE, Mr. BONO, Mr. BRYANT of Tennessee, Mr. CALVERT, Mrs. COLLINS of Illinois, Mr. COOLEY, Mr. CUNNINGHAM, Mr. FOX, Mr. HOKE, Mr. HOLDEN, Mr. KING, Mr. LIPINSKI, Mr. MCHUGH, Mr. METCALF, Mr. PAXON, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. BALLENGER):

H.R. 1499. A bill to improve criminal law relating to fraud against consumers; to the Committee on the Judiciary.

By Mr. HINCHEY (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CONYERS, Mr. DELLUMS, Mr. EVANS, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. FURSE, Mr. JACOBS, Mr. JOHNSTON of Florida, Mr. KLUG, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. MEEHAN, Mr. MINETA, Mrs. MINK of Hawaii, Mr. MORAN, Mrs. MORELLA, Mr. MURTHA, Mr. NADLER, Mr. OWENS, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mrs. SCHROEDER, Mr. SERRANO, Mr. SHAYS, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. SPRATT, Mr. STARK, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. WAXMAN, Ms. WOOLSEY, Mr. DEFAZIO, Ms. NORTON, and Mr. SKAGGS):

H.R. 1500. A bill to designate certain Federal lands in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Mr. ISTOOK (for himself, Mr. BAKER of Louisiana, Mr. BOEHNER, Mr. BONO, Mrs. CHENOWETH, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON, Mr. KASICH, Mr. KIM, Mr. KLUG, Mr. MCINTOSH, Mr. MILLER of Florida, Mr. NORWOOD, Mr. PORTER, Mr. SAXTON, Mr. SCARBOROUGH, Mr. TALENT, Mr. WATTS of Oklahoma, and Mr. WELLER):

H.R. 1501. A bill to amend the Federal Credit Reform Act to improve budget accuracy of accounting for Federal costs associated with student loans, to phase out the Federal Direct Student Loan Program, to make improvements in the Federal Family Education Loan Program, and for other purposes; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LINCOLN:

H.R. 1502. A bill to amend title XIX of the Social Security Act to prohibit a State from requiring any child with special health care needs to receive services under the State's plan for medical assistance under such title through enrollment with a capitated managed care plan until the State adopts pediatric risk adjustment methodologies to take into account the costs to capitated managed care plans of providing services to such children, and to direct the Secretary of Health and Human Services to develop model pediatric risk adjustment methodologies for such purpose; to the Committee on Commerce.

H.R. 1503. A bill to amend title XIX of the Social Security Act to require State Medicaid plans to cover services of certain clinics operated by children's hospitals and to reimburse such clinics for such services in an amount equal to 100 percent of the costs which are reasonable and related to the cost of furnishing such services; to the Committee on Commerce.

By Mr. MATSUI (for himself, Mr. CRANE, Mrs. JOHNSON of Connecticut, Mr. JACOBS, Mr. LEVIN, Mr. PORTMAN, Mr. CHRISTENSEN, Mr. STARK, Mr. SAM JOHNSON, Mr. KLECZKA, Mr. ENGLISH of Pennsylvania, Mrs. KENNELLY, Ms. ROS-LEHTINEN, and Mr. BENTSEN):

H.R. 1504. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of governmental plans under the rules governing retirement plans; to the Committee on Ways and Means.

By Mr. MCKEON (for himself, Mr. GOODLING, Mr. CUNNINGHAM, and Mr. RIGGS):

H.R. 1505. A bill to amend the Portal to Portal Act of 1947 to limit the award of liquidated damages to employees of States and political subdivisions; to the Committee on Economic and Educational Opportunities.

By Mr. MOORHEAD (for himself, Mr. HYDE, Mr. CONYERS, and Mr. GEKAS):

H.R. 1506. A bill to amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON (for herself, Mrs. MALONEY, Mr. NADLER, Miss COLLINS of Michigan, Ms. VELAZQUEZ, Mr. SERRANO, Mrs. SCHROEDER, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. PAYNE of New Jersey, Mr. MARTINEZ, Mr. TUCKER, Mr. GONZALEZ, Mr. FROST, Mr. LEWIS of Georgia, Mrs. MINK of Hawaii, Mr. EVANS, Ms. MCKINNEY, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOWEY, and Ms. BROWN of Florida):

H.R. 1507. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Ms. NORTON:

H.R. 1508. A bill to require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park; to the Committee on Resources, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (by request):

H.R. 1509. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit certain tax revenues of the District of Columbia to be pledged to pay debt service on obligations issued by an agency or instrumentality of the District government to finance certain costs of a downtown sports arena and convention center; to authorize such agency or instrumentality of the District government to expend such tax revenues without the requirement that such tax revenues be appropriated by the District of Columbia and the Congress; to provide that the obligations issued by any such agency or instrumentality

of the District government shall not be considered general obligations of the District of Columbia for purposes of calculating limitations on borrowing and spending by the District of Columbia, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. ROEMER (for himself, Mr. DOYLE, Mr. JACOBS, and Mr. KLUG):

H.R. 1510. A bill to prohibit the Department of Energy from acting as the agency of implementation, with respect to nondefense Department of Energy laboratories, for certain environmental, safety, and health regulations, and to require reduction in personnel at such laboratories; to the Committee on Science.

By Mr. SANDERS:

H.R. 1511. A bill to provide for the termination of nuclear weapons activities, and for other purposes; to the Committee on National Security, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON (for himself, Mr. TORRICELLI, Mr. LOBIONDO, Mr. MARTINI, Mr. ROEMER, Mr. UPTON, and Mrs. VUCANOVICH):

H.R. 1512. A bill to amend the Indian Gaming Regulatory Act to bring more balance into the negotiation of Tribal-State compacts, to require an individual participating in class II or class III Indian gaming to be physically present at the authorized gaming activity, and for other purposes; to the Committee on Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON:

H.R. 1513. A bill to amend title 38, United States Code, to change the date for the beginning of the Vietnam era for the purpose of veterans benefits from August 5, 1964, to December 22, 1961; to the Committee on Veterans' Affairs.

By Mr. TAUZIN (for himself, Mr. HALL of Texas, Mr. CRAMER, Mr. ROEMER, Mr. BLUTE, Mr. GILLMOR, Mr. STUMP, Mr. EMERSON, Mr. HANCOCK, Mr. GEJDENSON, Mr. MINGE, Mr. CALLAHAN, Mr. GENE GREEN of Texas, Mr. BAESLER, Mr. COLLINS of Georgia, Mr. BISHOP, Mr. EVERETT, Mr. BEVILL, Mr. TAYLOR of North Carolina, Mr. BACHUS, Mr. KLUG, Mr. HILLIARD, Mr. PARKER, Mr. JEFFERSON, Mr. LEWIS of Kentucky, Mr. PAXON, Mr. BONILLA, Mr. MCINTOSH, Mr. TRAFICANT, Mr. OXLEY, Mr. TALENT, Mr. BROWDER, and Mr. JACOBS):

H.R. 1514. A bill to authorize and facilitate a program to enhance safety, training, research, and development, and safety education in the propane gas industry for the benefit of propane consumers and the public, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS:

H.R. 1515. A bill to amend the Internal Revenue Code of 1986 to provide for fair treatment of small property and casualty insurance companies; to the Committee on Ways and Means.

By Mr. VISCLOSKY (for himself, Mr. STENHOLM, Mr. DOOLEY, and Mr. BARRETT of Wisconsin):

H.R. 1516. A bill to achieve a balanced Federal budget by fiscal year 2002 and each year thereafter, achieve significant deficit reduction in fiscal year 1996 and each year through 2002, establish a Board of Estimates, require the President's budget and the congressional budget process to meet specified deficit reduction and balance requirements, enforce those requirements through a multiyear congressional budget process and, if necessary, sequestration, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Ways and Means, Rules, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 1517. A bill to amend title XII of the National Housing Act to establish a national property reinsurance program to ensure the availability and affordability of property insurance in underserved areas; to the Committee on Banking and Financial Services.

H.R. 1518. A bill to amend the Internal Revenue Code of 1986 to provide an incremental investment tax credit to assist defense contractors in converting to nondefense operations; to the Committee on Ways and Means.

H.R. 1519. A bill to amend the Internal Revenue Code of 1986 to allow a credit for the construction and renovation of nonresidential buildings in distressed areas; to the Committee on Ways and Means.

By Mr. WILLIAMS:

H.R. 1520. A bill to amend the National Foundation on the Arts and the Humanities Act of 1995; to establish the American Cultural Trust Fund and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. WYDEN (for himself, Mrs. MORELLA, and Mr. FOX):

H.R. 1521. A bill to amend the Public Health Service Act to provide for the training of health professions students with respect to the identification and referral of victims of domestic violence; to the Committee on Commerce.

By Mr. TORRES (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BRYANT of Texas, Mr. DELLUMS, Ms. ESHOO, Mr. EVANS, Mr. FATTAH, Mr. FAZIO of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HARMAN, Mr. LIPINSKI, Ms. LOWEY, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MINETA, Mr. MORAN, Ms. PELOSI, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mrs. SCHROEDER, Mr. SERRANO, Ms. SLAUGHTER, Mr. VENTO, Mr. WALSH, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. YATES):

H.R. 1522. A bill to amend the Solid Waste Disposal Act to provide management standards and recycling requirements for spent lead-acid batteries; to the Committee on Commerce.

By Mr. TORRES (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BRYANT of Texas, Mr. DELLUMS, Ms. ESHOO, Mr. EVANS, Mr. FATTAH, Mr. FAZIO of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HARMAN, Mr. KLECZKA, Mr. LIPINSKI, Ms. LOWEY, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MINETA, Mr. MORAN, Ms. PELOSI, Mr. ROMERO-BARCELÓ, Ms. ROYBAL-ALLARD, Mrs. SCHROEDER, Mr. SERRANO, Ms. SLAUGHTER, Mr. VENTO, Mr. WALSH, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. YATES):

H.R. 1523. A bill to amend the Solid Waste Disposal Act to require producers and importers of newsprint to recycle a certain percentage of newsprint each year, to require the Administrator of the Environmental Protection Agency to establish a recycling credit system for carrying out such recycling requirement, to establish a management and tracking system for such newsprint, and for other purposes; to the Committee on Commerce.

By Mr. TORRES (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BRYANT of Texas, Mr. DELLUMS, Ms. ESHOO, Mr. EVANS, Mr. FATTAH, Mr. FAZIO of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HARMAN, Mr. LIPINSKI, Ms. LOWEY, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MINETA, Mr. MORAN, Ms. PELOSI, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mrs. SCHROEDER, Mr. SERRANO, Mr. VENTO, Mr. WALSH, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. YATES):

H.R. 1524. A bill to amend the Solid Waste Disposal Act to require producers and importers of tires to recycle a certain percentage of scrap tires each year, to require the Administrator of the Environmental Protection Agency to establish a recycling credit system for carrying out such recycling requirement, to establish a management and tracking system for such tires, and for other purposes; to the Committee on Commerce.

By Mr. TORRES (for himself, Mr. ACKERMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BRYANT of Texas, Mr. DELLUMS, Ms. ESHOO, Mr. EVANS, Mr. FATTAH, Mr. FAZIO of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HARMAN, Mr. KLECZKA, Mr. LIPINSKI, Ms. LOWEY, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MINETA, Mr. MORAN, Ms. PELOSI, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mrs. SCHROEDER, Mr. SERRANO, Mr. VENTO, Mr. WALSH, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. YATES):

H.R. 1525. A bill to amend the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency to establish a recycling credit system for carrying out recycling of used oil, and for other purposes; to the Committee on Commerce.

By Mr. HASTINGS of Washington (for himself, Mr. WAMP, Mr. GRAHAM, Mr. NETHERCUTT, and Mr. DICKS):

H.R. 1526. A bill to authorize the Secretary of Energy to enter into privatization arrangements for activities carried out in connection with defense nuclear facilities, and for other purposes; to the Committee on Commerce, and in addition to the Committees on National Security, Government Reform and Oversight, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE (for himself, Mr. MCCOLLUM, and Mr. SCHUMER):

H. Con. Res. 61. Concurrent resolution expressing the sense of the Congress regarding certain recent remarks that unfairly and inaccurately maligned the integrity of the Nation's law enforcement officers; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. ACKERMAN, Mr. FROST, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. HILLIARD, Mr. JEFFERSON, Ms. EDDIE

Bernice Johnson of Texas, Mr. MCDERMOTT, Mrs. MALONEY, Mr. MANTON, Mrs. MEEK of Florida, Mr. MOAKLEY, Mr. NADLER, Mr. OWENS, Mr. RICHARDSON, Mr. ROMERO-BARCELÓ, Mr. STUDDS, Ms. VELAZQUEZ, Mr. WAXMAN, and Mr. YATES):

H. Con. Res. 62. Concurrent resolution expressing the sense of the Congress with respect to pediatric and adolescents AIDS; to the Committee on Commerce.

By Mr. SOLOMON (for himself, Mr. TORRICELLI, Mr. LANTOS, Mr. BURTON of Indiana, Mr. ACKERMAN, Mr. BROWN of Ohio, Mr. DEUTSCH, Mr. GEJDENSON, and Mr. FALEOMAVAEGA):

H. Con. Res. 63. Concurrent resolution relating to the Republic of China (Taiwan)'s participation in the United Nations; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. KLUG.

H.R. 367: Mr. BARRETT of Wisconsin.

H.R. 460: Mr. ROHRABACHER, Mr. PETERSON of Minnesota, Mr. MINGE, Mr. ORTON, Mr. CAMP, and Ms. LOFGREN.

H.R. 530: Mr. SAM JOHNSON, Mr. TALENT, Mr. GREENWOOD, Mr. ENGEL, and Mr. GEKAS.

H.R. 540: Ms. RIVERS, Mr. BISHOP, Mr. CONYERS, Mr. FATTAH, Mr. OBERSTAR, Mr. KILDEE, Mr. SERRANO, Mr. MCDERMOTT, Mr. MCHUGH, Mr. CLYBURN, Mr. BARCIA of Michigan, Ms. VELAZQUEZ, Mr. GILMAN, Mr. ACKERMAN, Mr. MANTON, Mr. DEUTSCH, Ms. BROWN of Florida, and Mr. GEJDENSON.

H.R. 563: Mr. RIGGS and Mr. POMBO.

H.R. 682: Mr. LAUGHLIN and Mr. MINETA.

H.R. 770: Mr. FAZIO of California.

H.R. 931: Mr. SPENCE, Mr. GILMAN, Mr. CLYBURN, Mrs. MINK of Hawaii, Mr. BISHOP, Mr. FATTAH, Mr. SERRANO, and Mr. MARTINEZ.

H.R. 942: Mr. ENGEL.

H.R. 997: Mr. DICKEY, Mr. CALVERT, Mr. ANDREWS, Mr. ACKERMAN, and Mr. BENTSEN.

H.R. 1020: Mr. EVERETT, Mr. ROTH, Mr. DEAL of Georgia, Mr. KINGSTON, Ms. RIVERS, Mr. CRAMER, Mr. HAYES, Mr. MONTGOMERY, Mr. SISISKY, Mr. SAXTON, Mr. HOLDEN, Mr. KING, Mr. LAZIO of New York, Mr. JONES, Mr. CHAPMAN, Mr. STUMP, Mr. TRAFICANT, Mr. BURTON of Indiana, Mr. ROSE, Mr. SOLOMON, Mrs. MEYERS of Kansas, Mr. MCCOLLUM, and Mr. ROGERS.

H.R. 1023: Mr. MCCOLLUM.

H.R. 1172: Mr. GREENWOOD, Mr. ACKERMAN, Mr. MEEHAN, Mr. KLUG, Mr. HYDE, Mr. SCHUMER, Mr. DOYLE, and Mr. BALLENGER.

H.R. 1233: Mr. DOYLE, Mr. GENE GREEN of Texas, Mr. POMEROY, and Mr. TORRES.

H.R. 1234: Mr. STENHOLM.

H.R. 1251: Mr. FRANK of Massachusetts, Mr. FROST, Mrs. COLLINS of Illinois, Mr. STUDDS, Mr. BISHOP, Mr. LIVINGSTON, and Mr. LIPINSKI.

H.R. 1255: Mr. FIELDS of Texas, Mr. ROHRABACHER, and Mr. STOCKMAN.

H.R. 1302: Mr. TORRES.

H.R. 1386: Mr. SOLOMON, Mr. HANCOCK, Mr. ROHRABACHER, Mr. PAXON, Mr. TALENT, Mr. CHRISTENSEN, Mr. BARTLETT of Maryland, Mr. EHLERS, and Mr. MCCRERY.

H.R. 1400: Ms. NORTON.

H.R. 1405: Mrs. COLLINS of Illinois and Mr. TORRES.

H.J. Res. 84: Mr. CLAY and Mr. BERMAN.

H. Con. Res. 4: Mr. CALVERT, Mr. HOSTETTLER, and Mr. BILIRAKIS.

H. Con. Res. 5: Mr. FUNDERBURK.

H. Con. Res. 12: Mrs. MORELLA.

H. Con. Res. 21: Mr. JOHNSON of South Dakota.

H. Res. 122: Mr. COSTELLO, Mr. HILLIARD, Mr. PALLONE, and Mr. SANDERS.

PETITIONS, ETC.

Under clause 1 of rule XXII,

5. The SPEAKER presented a petition of Marlene Y. Green from Pittsburgh, PA, relative to national health care: which was referred to the Committee on the Judiciary.

DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petition was filed:

Petition 3, April 5, 1995, by Mr. VOLKMER on H.R. 920, was signed by the following Member: Harold L. Volkmer.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. CHAPMAN on H.R. 125: J.D. Hayworth and Tom A. Coburn.

Petition 2 by Mr. STOCKMAN on House Resolution 111: John E. Ensign, Dave Weldon, Bernard Sanders, John T. Doolittle, Wally Herger, Randy Tate, Jim Bunn, Robert K. Dornan, Joel Hefley, Steven C. LaTourette, James M. Talent, and Phil English.

Petition 3 by Mr. VOLKMER on H.R. 920: Harold L. Volkmer.